

Suburban Trial

North Shore
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Suburb felony trials — good move

Most agree it's an improvement

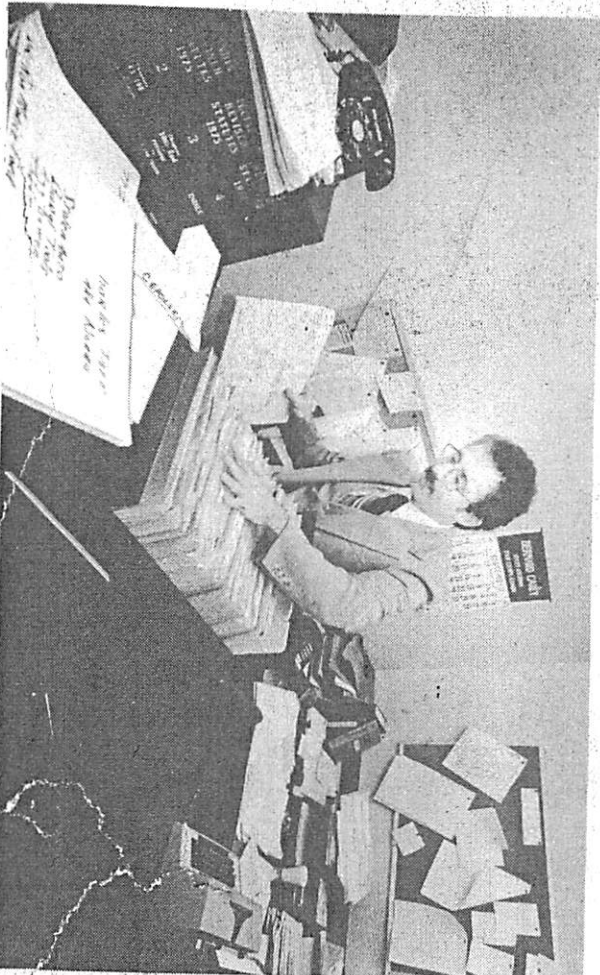
By Peter Wilms
and Sue Treiman

PEOPLE WHO commit armed robbery, rape, or other felonies in the suburbs face swift justice and stiffer prison terms now that felony trials are being held in the suburbs, attorneys and judges believe.

Before Cook County Circuit Court began two years ago holding felony trials in the suburbs, suspects could count on a wait of about two years before their trials came up in the crowded criminal courts in Chicago. Witnesses to crimes in Arlington Heights and Skokie, for example, tired of making repeated trips to Chicago for hearings, only to have the trial postponed again. Often they stopped cooperating, destroying the prosecutors' cases, and sometimes during the long wait for trials, witnesses moved out of the area.

When the time finally came for trial, suspects were often offered the opportunity to plead guilty to lesser offenses so that lengthy trials could be avoided and the excessive caseloads of prosecutors and judges could be eased. Penalties were of course much lighter for the lesser charges.

THE SYSTEM worked well for criminals. Crowded court dockets and plea bargaining worked in their favor, and they stood a better



Trib photos by Jan Houseworth

Sol Rajfer (above), a prosecutor, and Paul Plotnick, a public defender, are on opposite sides of Evanston courtroom battles, but they agree that holding felony trials in the suburbs is an advantage.

chance of getting off altogether the longer they had to wait for trial.

But it was unbearable for victims of the crimes, for the public that had to deal with criminals for two more years while they were out on the streets, and most of all for the wrongly accused.

Two years ago, the Illinois Supreme Court amended its rules and allowed associate

judges to hear felony trials, opening the doors for suburban felony cases to be heard in the five suburban Cook County Circuit Court districts instead of in downtown Chicago. That amendment by the Illinois Supreme Court came in conjunction with an Illinois law, passed in 1975, that permitted persons arrested for felonies to be charged without grand jury hearings, which in Cook



County are held in Chicago.

THE CONCEPT was to cut down on the inconvenience to witnesses and police and to insure speedy trials, more community interest, pressure to see that justice is done, and stiffer penalties for those convicted.

Has it worked?

Judges, prosecutors, and defense attorneys are expected to answer these questions. Please turn to page 12.

Verdict on suburban felony trials is favorable

Lack of room main complaint

WHILE THE concept of felony trials in the suburbs is being lauded, a lack of adequate facilities is cited as a major hindrance to felony trials in District 2 of the Cook County Circuit Court.

Judges, prosecutors, defense attorneys, and court clerks all complain of inadequate space in the Evanston courtroom and anxiously await construction of a "mini" civic center in Skokie. District 2 covers the north suburbs.

That center, which has been in planning for more than a year, isn't expected to be under construction for at least another year. The projected completion date for the center isn't until 1980, according to Harold Sullivan, District 2 presiding judge.

MEANWHILE, felony trials, civil jury trials, and misdemeanor jury trials for District 2 are held in a single courtroom at 1454 Elmwood St., Evanston.

The overcrowding of the facilities is exemplified by an 8 by 8 foot cubicle used by three and sometimes four state's attorneys to prepare cases.

The public defender is relegated to a desk in the court clerk's office, and judges share a small library with law books that must also be accessible to prosecutors and defense attorneys.

THE INADEQUACY of facilities frequently results in the continuation of cases.

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neys in Des Plaines and Evanston, where felony trials are held for the northwest and north suburbs, respectively, answer with an emphatic "yes."

"PEOPLE HERE are seeing the criminal justice system work," said Colin Simpson, a prosecutor for the northwest suburbs. "If a person is a victim in Des Plaines, the crime will be heard in Des Plaines. It saves police money in terms of an arresting patrolman's time, and the people in the suburbs can see the law being enforced."

Sol Rajfer, a prosecutor in the north suburbs, said that prosecutors in the suburbs have more time to prepare cases and to take criminals to trial than they do in Chicago.

"We're getting more felony convictions out here, because we've got the time and will take the effort to try people," he said.

RAJFER, SIMPSON, and other suburban prosecutors agree that they are now in a stronger position when there is plea bargaining. In Chicago, prosecutors frequently offer criminals probation in exchange for a guilty plea, whereas in the suburbs, prosecutors might offer just a shorter prison term in an identical case. Having time to prepare a solid case, and knowing that an immediate trial date will be set before witnesses get lost or lose interest, prosecutors don't have to offer light sentences to get a guilty plea.

Rajfer believes that more people are going to jail now than before. Simpson and fellow Des Plaines prosecutor Frank Nolan are sure of it. "We sent 12 people to the penitentiary in June alone," Nolan said.

They say that there is another factor that is helping them — perspective. When a prosecutor in Chicago has dealt with a number of rape and murder cases, he is less likely to go after an armed robber with the same fervor as would a suburban prosecutor. Most ob-

servors believe that, similarly, suburban judges have a different perspective on the seriousness of crimes.

Most defense attorneys are pleased with the new system of felony trials in the suburbs as the prosecutors.

PAUL PLOTNICK, a public defender working in Evanston, said the convenience works for both sides and helps him get his witnesses to court, too.

Attorney Charles Whelan of Arlington Heights agrees. "In a way, it is bad for the defense to have the court so close. But stories of witnesses not bothering to come to distant courts are greatly exaggerated and overplayed. I think it's easier from the defense point of view to get our witnesses out here," he said.

Plotnick said the new system insures the constitutional right of all defendants, innocent and guilty, to speedy trials. Judges in the north and northwest suburbs say it used to take 18 to 24 months to bring an accused felon to trial in Chicago, but James Geocaris, presiding judge of northwest suburban District 3, said they now dispense with felony cases within five or six months of the offense.

HAROLD SULLIVAN, presiding judge of north suburban District 2, said the new grand jury bypass system has also saved things up considerably. Because they are arrested for

jury hearing, the backlog at the grand jury stage, which had caused much of the delay in cases being heard, is now avoided.

Sullivan said that with the grand jury bypass, defendants are being formally charged within 30 days, and that this used to take 60 to 120 days with the grand jury system.

"I don't know of anyone who's unhappy with the felony court out here," Whelan said, but one defense attorney said he has some complaints.

DEAN WOLFSON, an attorney with offices in Chicago, said that it's too time-consuming to try felony cases all over the Chicago area. "We've got the facilities in the Daley Center, and the whole system down there is more conducive to law and order," he said.

Wolfson said that while suburban courtrooms may provide a convenience for witnesses, it is a burden for jurors who are picked from throughout the county. He said they are bussed from the Daley Center for the first day of trial, but are on their own to get to the suburban courtrooms after that first day.

Several jurors interviewed in suburban courtrooms, however, said that they would rather travel the extra distance to the suburbs than go into the tough neighborhood where the Criminal Courts building is in Chicago at 26th Street and California Avenue. The jurors interviewed were all Chicago